

FORM PTO-1390  
REV. 2/01T

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A  
FILING UNDER 35 U.S.C. 371**

05725.1478-00000

U.S. APPLICATION NO.  
(If known, see 37CFR1.5)  
10/538,782

INTERNATIONAL APPLICATION NO.

PCT/FR03/03710

INTERNATIONAL FILING DATE

December 12, 2003

PRIORITY DATE CLAIMED

December 12, 2002

**TITLE OF INVENTION: NON-TRANSFER COSMETIC COMPOSITION COMPRISING A DISPERSION OF A  
GRAFTED ETHYLENE POLYMER**

**APPLICANT(S) FOR DO/EO/US: Xavier BLIN et al.**

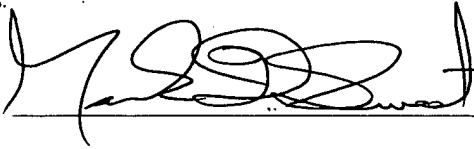
Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
  - a. ☐ Copy of cover page of International Publication No. WO
  - b. ☒ Copy of Notification of Missing Requirements.
  - c. ☐

#4

U.S. APPLICATION NO. (If known, see 37CFR 1.5) <b>10/538,782</b>		INTERNATIONAL APPLICATION NO. <b>PCT/FR03/03710</b>		ATTORNEY'S DOCKET NUMBER <b>05725.1478-00000</b>	
21. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> \$ <b>300.00</b> National Stage Search Fee ..... \$ <b>500.00</b> National Stage Examination Fee ..... \$ <b>200.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> \$				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)	Rate		
85-100 =	33/50 =		x 250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	84 - 82 =	2	x \$ 50.00	\$	100.00
Independent Claims	4 - 3 =	1	x \$200.00	\$	200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00	\$	
<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				\$	430.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$	430.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	430.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				+	\$ 40.00
<b>TOTAL FEES ENCLOSED =</b>				\$	470.00
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>430.00</u> to cover the surcharge fee for late filing of the Declaration and additional claims fee and a check in the amount of \$ <u>40.00</u> to cover the Assignment recordation fee are enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> .					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
<b>SEND ALL CORRESPONDENCE TO:</b> Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 901 New York Avenue, NW Washington, D.C. 20001-4413					
DATED: Mark D. Sweet				 Mark D. Sweet/Registration No. 41,469 NAME/REGISTRATION NO.	

01/25/2006 MKAYPAGH 00000104 10538782

01 FC:16 7 130.00 OP  
02 FC:16 5 100.00 OP  
03 FC:16 4 200.00 OP

rec'd PCT/PTC 23 JAN 2006

**PATENT**  
**Customer No. 22,852**  
**Attorney Docket No. 05725.1478-00**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re National Stage of International	)	
Application No. <b>PCT/FR03/03710</b> of:	)	
	)	
<b>Xavier BLIN et al.</b>	)	Group Art Unit: Unassigned
	)	
Application No.: 10/538,782	)	Examiner: Unassigned
	)	
Filed: June 10, 2005	)	Confirmation No.: 9422
	)	
For: NON-TRANSFER COSMETIC	)	
COMPOSITION COMPRISING A	)	
DISPERSION OF A GRAFTED	)	
ETHYLENE POLYMER	)	

**SUBMISSION OF ASSIGNMENT OF APPLICATION**

**Mail Stop Assignment Recordation Services**

Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby submit a copy of the executed Assignment in the above-identified application from **Xavier BLIN, Véronique FERRARI, and Bertrand LION**, assigning their rights in the invention to **L'ORÉAL**. Please record the Assignment and return to the undersigned.

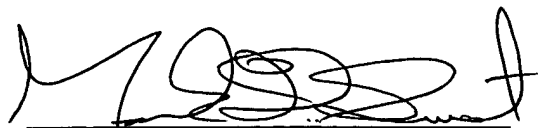
The required \$40.00 recordation fee is enclosed.

Please charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:



Mark D. Sweet  
Reg. No. 41,469

Dated: January 23, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,782	Xavier Blin	05725.1478

INTERNATIONAL APPLICATION NO.	
PCT/FR03/03710	
I.A. FILING DATE	PRIORITY DATE
12/12/2003	12/12/2002

22852  
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP  
901 NEW YORK AVENUE, NW  
WASHINGTON, DC 20001-4413

CONFIRMATION NO. 9422

## 371 FORMALITIES LETTER



\*OC000000017508353\*

NOV 2 2005

Date Mailed: 11/23/2005

FINNEGAN, HENDERSON, FARABOW,  
GARRETT AND DUNNER, LLP

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495):

- Copy of the International Application filed on 06/10/2005
- English Translation of the IA filed on 06/10/2005
- U.S. Basic National Fees filed on 06/10/2005
- Priority Documents filed on 06/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$300** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$430** for a Large Entity:

- **\$130** Surcharge.

11/29/05  
Docketed 11/29/05 Attorney  
Case 05725-1478  
Due Date 11/23/06 w/PT  
Action DCU Search & AD 17C  
By \_\_\_\_\_

- Total additional claim fee(s) for this application is \$ 300
  - \$200 for 1 independent claims over 3.
  - \$100 for 64 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,782	PCT/FR03/03710	05725.1478